



Dear SDSEO Member:

The Joint Committee on Appropriations “set” budgets last week for the current fiscal year and for the next fiscal year. They looked at the estimates from BFM and LRC and predicted by vote that 2022 will have another \$22 million and 2023 will be \$92 million more than Gov. Noem predicted in her budget address. That’s a bundle, but if history is an indicator it’s probably an underestimate by tens of millions at least. Here’s a story on it: <https://listen.sdpb.org/politics/2022-02-18/noem-not-comfortable-with-lawmakers-revenue-projections?fbclid=IwAR1lQIF3y16oqnkZKAp0FygExlc1751v5dyA4cPbbfx4We5oFnIw4We4Enc>.

What do the higher revenues mean for you? Well, hopefully it both anchors the 6% across the board and all the other compensation for salaries and helps the push for more. It’s not as easy as it sounds, though. But then we see this bill, House Bill 1155, in which an old wage that was probably pegged to the minimum wage in some way received a unanimous vote, raising the wage from \$4 to \$20: <https://sdlegislature.gov/Session/Bill/23313/229975?fbclid=IwAR0IusozUhWorDkpWnN0NvzymvSR7z2HOv7k8vwEXXypkc3YIFzq0OOScnM>. Something tells me if it had “state government employee” in there instead of “township board member overseer” it wouldn’t have been so easy.

One issue that exists for real but that has been mostly ignored is the fact that when general salary increases are recommended, that pertains only to general fund dispersals; employees who get paid via fees or federal funds only get raises for those ends when those ends increase; that’s one reason why college tuition goes up or why GFP licenses increase in cost and so forth. While that fact was mostly ignored in the past, it has come up this session a couple times. It’s a discussion that complicates things, but it’s worth having. Many state government employees are paid in those ways, at least partly. (When I was a state government employee, I was paid 50% state and 50% federal.)

Crossover Day is this Wednesday. That’s the day when bills must have passed their house of origin or the bills are dead. It will be a frenzy. We have some bills on our watch list that are up, but nothing of supreme importance that is stuck. All your compensation things are separate from that deadline. <https://mylrc.sdlegislature.gov/api/documents/220075.pdf>

There were a couple bills that related to the South Dakota Retirement System that originated from outside the traditional SDRS Board process. Both of those bills failed, but they did create some discussion. One re-stated current avenues for change (ie appealing to the SDRS Board). But the other opened up the idea of rewriting law to reflect mental stress and strain as a reason for Class B retirement. Science and knowledge on mental health has certainly grown since the SDRS was begun 49 years ago, so I expect to see change in Class B retirement at some point based on that.

To help out with recruiting, I've attached SDSEO recruitment/info docs. (For the Investment Trust brochure, the Reinke Gray email contact is bettejo@reinkegray.com. They have changed their email address.)

We've added three new members the last week. Lets' add a couple dozen new members in the next couple weeks. Spread the good word.

Make sure to let me know if you experience any problems at all as a state employee. Our Facebook: <https://www.facebook.com/my.SDSEO/>. Our Facebook gets lots of traffic and comments, so try to check it out. Our Twitter handle: @MySDSEO

SDSEO 2022 bill list

| Bill | Title | Explanation | Hearing Info |
|-----------------------|--|---|--|
| SB 22 | revise a reference to the Division of Criminal Investigation. | Clean-up bill. Changes the inaccurate term "department" to "division." | Assigned to Senate Judiciary . Hearing 1/25/22. Passed 7-0; Passed Senate 35-0 on 1/27. To House. To House Judiciary. |
| SB 28 | disqualify for life any person from driving a commercial vehicle who is convicted of a felony offense involving human trafficking. | Does what the title says. | Assigned to Senate Transportation . Hearing 1/19/22. Passed 6-0. Passed Senate 32-0 on 01/20/22. To House. Passed House Transportation 13-0. Passed House on consent (unanimous) on 2/2. To Gov. Signed 2/09. |
| SB 30 | add Juneteenth as a state holiday. | Would add Juneteenth (June 19) as a state holiday. Juneteenth is currently a federal holiday. A similar bill passed House and Senate. This bill was tabled. | Assigned to Senate State Affairs . Tabled on 1/26. A similar bill passed House and Senate. You'll have a new paid state holiday. |

| | | | |
|------------------------------|--|--|--|
| <p>SB 31</p> | <p>make an appropriation to the Department of Labor and Regulation for the modernization of the reemployment assistance enterprise system and to declare an emergency.</p> | <p>This is about updating computers and tech in the unemployment system. The Legislature renamed unemployment as re-employment a few years ago. Here's the state's fact sheet on SB 31: SB 31 Fact Sheet</p> | <p>Assigned to Senate Appropriations and referred to Joint Appropriations. Hearing set for 2/23.</p> |
| <p>SB 32</p> | <p>authorize the Department of Corrections to purchase certain real property, construct a community work center for offenders committed to the Department of Corrections, to make an appropriation therefor, transfer funds from the budget reserve fund, and to declare an emergency.</p> | <p>Would appropriate \$28 million to build a new prison in Rapid City. Here is the fact sheet on tit: SB 32 Fact Sheet</p> | <p>Assigned to Senate Appropriations and referred to Joint Appropriations. Referred back to Senate Appropriations on 2/14. Hearing set for 2/22.</p> |
| <p>SB 33</p> | <p>authorize the Department of Corrections to make healthcare improvements at the South Dakota Women's Prison, to make an appropriation therefor, and to declare an emergency.</p> | <p>Would appropriate \$5.75 million for some health facility and mental health facility needs. Here's the fact sheet on it: SB 33 Fact Sheet</p> | <p>Assigned to Senate Appropriations and referred to Joint Appropriations. Referred back to Senate Appropriations on 2/14. Hearing set for 2/22.</p> |
| <p>SB 51</p> | <p>make an appropriation to support firefighter training equipment and recruitment efforts in the state, and to declare an emergency.</p> | <p>Does not appropriate funds for employee compensation. This is mostly about some new equipment and PR campaign for recruiting volunteer firefighters.</p> | <p>Assigned to Senate Appropriations and referred to Joint Appropriations. Hearing set for 2/23.</p> |

| | | | |
|-----------------------|---|--|--|
| SB 53 | make an appropriation to increase workforce housing and to declare an emergency. | Not really about workforce housing but about putting \$200 million into “increasing housing supply across South Dakota.” | Assigned to Senate Commerce and Energy . Eventually will move to Appropriations. Assigned to Senate Appropriations and passed 8-1 on 2/16. To Senate. |
| SB 56 | revise certain provisions relating to the South Dakota Retirement System. | A clean-up bill. SDRS Fact Sheet here: SDRS Fact Sheet | Assigned to Senate Retirement Laws . Hearing on 1/26/22. Passed 4-0. Passed Senate 34-0 on 1/31. To House. To House Retirement Laws. |
| SB 57 | add gaming enforcement agents to Class B membership of the South Dakota Retirement System. | Adds a handful of gaming enforcement agents in Dept of Revenue to Class B. SDRS Fact Sheet here: SDRS Fact Sheet | Assigned to Senate Retirement Laws . Hearing on 1/26/22. Passed 4-0. Passed Senate 34-0 on 1/31. To House. To House Retirement Laws. |
| SB 58 | make an appropriation for the construction of a new state public health laboratory and the renovation of the existing laboratory and to declare an emergency. | Calls for putting about \$70 million into a new public health lab in Pierre. | Assigned to Senate Health and Human Services . Assigned to Joint Committee on Appropriations . Referred back to Senate Appropriations. Amended and passed committee 9-0 on 2/16. To Senate. |
| SB 60 | revise the General Appropriations Act for fiscal year 2022. | Annual revision. | Assigned to Senate Appropriations and referred to Joint Appropriations . |

| | | | |
|------------------------|--|---|--|
| SB 68 | revise holiday pay for state employees. | Calls for employees to actually get paid for the hours they work on an observed holiday. SDSEO supports. | Assigned to Senate State Affairs. Passed 7-0 on 1/19/22. Passed Senate 32-0 on 1/20/22. To House State Affairs . Hearing on 2/23. |
| SB 70 | modify the amount of time to report an injury for workers' compensation. | Would extend the initial deadline to file a report to 30 days from the current 3 business days. This bill failed but will be brought to the Workers Compensation Committee for possible action there. | Assigned to Senate Commerce and Energy . Sent to 41 st day (killed) on 01/20/22 on 8-1 vote. |
| SB 75 | establish certain pay provisions for state employees working shifts longer than eight hours a day. | A bill similar to SB 68. The sponsor, Sen. Nesiba, likely will pull it or amend it depending on how SB 68 looks in the House. | Assigned to Senate State Affairs . Tabled 6-1 on 1/26. The SDSEO testified in favor of this bill and also supports SB 68. |
| SB 119 | prohibit sexual contact between prison employees and prisoners. | This would amend a current statute. Intent seems to be to add a definition of sexual contact and include things a health practitioner might do. This bill seems pretty muddled as it is. | Assigned to Senate Judiciary . Hearing on 2/10/22. The hearing was eventually on 2/17. Passed 7-0. To Senate. |
| SB 131 | establish a formula for distributing general funds to Board of Regents universities. require the Board of | This bill would change how funds are allocated to state universities. There will be lots of | Assigned to Senate Education but moved to Joint Appropriations . Was moved to Senate |

| | | | |
|-------------------------|---|--|--|
| | Regents to provide an annual presentation to the special committee | politicking on this bill because there will be winners and losers among the public universities. This bill was hogged and the new title is at left. | Appropriations and hogged and passed 7-2 on 2/17. To Senate. |
| SB 141 | establish provisions for the South Dakota Retirement System. | Hoghouse bill (Empty bill that might be used by being amended or might not.) | Assigned to Senate Retirement Laws . Hearing on 2/22. |
| SB 146 | create the Office of Ombudsman for State Employees. | This bill calls for the formation of new office under the Legislature's Executive Board that would field and investigate state employee claims of illegality or impropriety. Reporting employee identity would be entirely shielded for anonymity from any entity but the Ombudsman. Would apply to the Executive Branch, not to the Unified Judicial System or to the Legislature itself. | Assigned to Senate State Affairs . Hearing on 2/09/22. Sent to 41 st day 7-1 on 2/09. |
| HB 1041 | facilitate legislative oversight of settlement agreements involving a state entity or official. | Seeks to allow for Legislative review of settlement agreements. | Assigned to House Judiciary . Passed 11-0 on 1/21/22. To House. Passed 11-0 then passed House 64-6 on 1/25. To |

| | | | |
|-------------------------|--|---|---|
| | | | Senate State Affairs. Hearing on 2/23 |
| HB 1055 | require informational transparency regarding the issuance of executive orders. | Seeks to allow for Legislative review of executive orders from the governor. | Assigned to House State Affairs . Sent to 41 st day on 1/31 on 9-3 vote. |
| HB 1063 | revise the approval process for state employee household moving allowances. | Changes the approver of moving allowances to the State Auditor. This should streamline the process. | Assigned to House State Affairs . Passed 13-0 on 1/21/22. To House. Passed House 69-1 and Senate State Affairs 8-0 and Senate 34-0. Signed on 2/09. |
| HB 1106 | provide for the security and privacy of certain personally identifiable information for judicial officers and to declare an emergency. | Calls for the removal of personal information such as address, email, phone number for judges from varieties of public information. | Passed the House and Senate on a fast track. Signed 2/8. To Governor. Signed on 2/15. |
| HB 1213 | clarify the Corrections Commission's ability to obtain criminal justice information. | Adds a possible requirement for police agencies to give information to the Corrections Commission. | To House Judiciary . Hearing on 2/09. Passed 10-1. Passed House 62-4. To Senate Judiciary . |
| HB 1221 | require training on human trafficking for law enforcement officers. | Does what it says. | To House Judiciary . Withdrawn on 2/15. |
| HB 1243 | make an appropriation to the Board of Regents for a cost-of-living increase and to declare an emergency. | We've talked a lot about how not all Board of Regents employees get the "across the board" raises. That's because the universities don't get full funding for all employee salaries, as | Sent to House Education who sent it on to House Appropriations . Sent to 41 st day on 2/17 on 5-0 vote. |

| | | | |
|-------------------------|--|---|--|
| | | some are paid with federal and other funds. For a 6% raise for all in BOR, that would take about \$6.5 million. This bill would do that (it has \$10 million in it). But the bill is mostly about chastising legislators about tuition and fee increase complaints. | |
| HB 1245 | equalize the general fund appropriations appropriated to the Board of Regents. | Would be a new way to fund each public university. There would be winners and losers among the universities. | House Education . Had a hearing on 2/7 but didn't finish. Withdrawn on 2/15. |
| HB 1261 | establish emergency retire-rehire provisions for the South Dakota Retirement System. | A bill changing SDRS law without going thru the SDRS system. It's been assigned to House State Affairs instead of Retirement Laws. It's usually not a good thing for legislators to go monkeying around on their own in complex systems like SDRS law. | House State Affairs . Sent to 41st day on 2/16 on 10-3 vote. |
| HB 1269 | limit the deployment of the National Guard for federal service. | This regards "active-duty combat" only. | House Military and Veteran Affairs . Tabled 10-0 on 2/16. |
| HB 1290 | prohibit lobbying by state officials and employees. | The target of this is state agencies and the governor's office. It would limit their | House State Affairs . Sent to 41st day on 2/14 on 8-5 vote. |

| | | | |
|-------------------------|--|---|---|
| | | ability to lobby and to hire outside lobbying firms. | |
| HB 1291 | classify 911 telecommunicators as Class B members of the South Dakota Retirement System | This would add 911 operators to Class B retirement. 911 operators are commonly treated as “first responders” due to the mental demands of the job. Though this bill does not go thru Retirement Laws so will likely not pass, it’s a worthy goal. Look for the off-session of the Retirement System to have plenty of discussions on adding to Class B. | House Local Government. Sent to 41 st day on 2/15. |
| HB 1338 | appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the current expenses of state institutions, interest on the public debt, and for common schools. | The General Bill that will have all the new state funding at the end. | House Appropriations |

Best,

Eric

Eric Ollila
 Executive Director
 South Dakota State Employees Organization
 (800) 257-3736
www.sdseo.org